

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JAMES EARL DAVIS,	)	CASE NO. 4:09CV2321
	)	
Plaintiff,	)	
	)	JUDGE CHRISTOPHER A. BOYKO
vs.	)	
	)	
WARDEN J.T. SHARTLE, et al.,	)	<u>ORDER</u>
	)	
	)	
	)	
Defendants.	)	
	)	

This Court has reviewed the Report and Recommendation (Doc.# 58 ) of Magistrate Judge William H. Baughman, Jr. regarding Defendants' Motion to Dismiss Case (Doc.#37 ).

FED. R. CIV.P. 72(b) provides that objections to a Report and Recommendation must be filed within fourteen (14) days after service, but Plaintiff has failed to timely file any such objections. Therefore, the Court must assume that the parties are satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Court adopts in full the Report and Recommendation (Doc.# 58 ) and the Motion to Dismiss Case (Doc. # 37) is converted to one for Summary Judgment and

granted. Furthermore, all other outstanding motions are denied as moot.

IT IS SO ORDERED.

Dated: 11/5/2010

S/Christopher A. Boyko  
CHRISTOPHER A. BOYKO  
UNITED STATES DISTRICT JUDGE